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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,443	03/12/2004	Brett P. Eddy	13768.1154	6248

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WORKMAN NYDEGGER/MICROSOFT
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UT 84111

EXAMINER	
TAKELE, MESEKER	

ART UNIT	PAPER NUMBER
2175	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/799,443	EDDY ET AL.	
	Examiner	Art Unit	
	MESEKER TAKELE	2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 September 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to the RCE and Amendment filed 09/23/2010.

2. Claims 1-14 are pending in this application. Claim 1, 13 and 14 are independent claim. Claim 1 is amended, and claims 15-38 were cancelled.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arquie et al. ("Arquie" US Patent No.: 7,219,300) in view of Pugaczewski et al. (US Patent No.: 6,903,755) and in further in view of Richardson (US Patent No.: 7,146,568).

As to claim 1, Arquie disclose a method for generating topological and management information (col., 8 lines, 57-60) for sites in a computer network, the method performed in a computer system having a display (Figure 7), the method comprising:

Obtaining a request to generate application topological and management information corresponding to two or more sites associated with a network (Figure 3 and Figure 1);

obtaining site attribute information corresponding to the two or more sites (col., 7 lines, 39-57), the site attribute information being maintained and imported from one or more distributed application servers and the site information (col., 6 lines, 25-30) comprising:

site interconnection information identifying how each of the sites is connected to one or more other sites (col., 2 lines, 55-56, col., 8 line 35-36 and col., 9 lines, 10-27));

applying a set of dynamic processing rules to determine an assessment of the site attribute information, (col., 15 lines, 62-63);

processing the site attribute information to obtain site application topological and management information (claim 1),

wherein processing the site attribute information comprises;

identifying through an iterative process all sites within the network,

generating at least one connection object for each site (Figure 3 and Figure 1), and

identifying a directional flow for communications between each site; (abstract).

generating a graphical user interface (col., 7 lines, 32-33), the user interface comprising a first display portion (Figure 3 (element 300) and Figure 4, (element 400))) and a second display portion Figure 3 (element 310) and Figure 4, (element 410)), the first display portion for displaying topological and management information (Example, Figure 4) (element 404)) the second display portion for generating user controls including a generation control (Figure 4 and 7) and an update control (Figure 4 and 5), and wherein information is displayed in the first display portion in accordance with the user controls in the second display portion (Figure 4) to facilitate creating such a display);

formatting and generating the topological and management information for rendering on the display (col., 3 lines, 28-35) and displaying the generated information within the first display portion of the graphical user interface the generated information including a site interconnection rating (Figure 1 (element 132, 134 and 138)) and directional flow indicators for each site interconnection (Figure 3-7); determining whether the site application topological and management information should be updated (abstract); upon determining the site application topological and management information should be updated, updating the information (Figure 3 and (col., 10 lines, 20-34).

However Arquie does not disclose a schema defining a template as to how the topological information should be rendered the schema corresponding to a network template requirement and a specific user requirement and perceived status of each site.

Pugaczewski from the similar field of endeavor disclose a schema defining a template as to how the topological information should be rendered the schema corresponding to a network template requirement and a specific user requirement and perceived status of each site (such as, Figure 3 is a schematic illustration of an xDSL Path in a DSL implementation).

It would have been obvious to one of ordinary skill in the art to have modified Arquie teaching at the time of the invention was made with the teaching of Pugaczewski in order to provide a generic set of models so that different manufacturer's nodal processors and other network hardware can be inserted into the network with minimal changes to the software which controls the device.

Arquie and Pugaczewski do not disclose health.

Richardson from similar field of endeavor discloses, health (col., 11 lines, 46-60).

It would have been obvious to one of ordinary skilled in the art to have modified Arquie and Pugaczewski 's teaching at the time the invention was made with the teaching of Richardson in order to provide to quickly display to the administrator of a managed network health problems associated with devices and services on the network and to provide the administrator with the capability to quickly respond to and correct pending network problems before end users of the network are impacted.

As to claim 2, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection.

As to claim 3, Arquie discloses wherein obtaining site attribute information corresponding to the two or more sites includes obtaining directory information identifying each of the two or more sites associated with the network (abstract).

As to claim 4, Arquie discloses wherein processing the site attribute information to obtain site application topological and management information includes interactively identifying site connection information from the site attribute information for the two or more sites (Figure 4).

Claim 5, is similar in scope to claim 3 respectively, and is therefore rejected under similar rationale.

As to claim 6, Pugaczewski discloses wherein obtaining site attribute information corresponding to the two or more sites includes obtaining cost information for the connection information, wherein the cost information corresponds an estimated cost for transmitting data between two connected sites (col., 22 lines, 48-55).

As to claim 7, Arquie and Pugaczewski do not disclose wherein obtaining site attribute information corresponding to the two or more sites includes obtaining health model information for the two or more sites.

Richardson from the similar field of endeavor discloses wherein obtaining site attribute information corresponding to the two or more sites includes obtaining health model information for the two or more sites (abstract).

It would have been obvious to one of ordinary skilled in the art to have modified Arquie and Pugaczewski 's teaching at the time the invention was made with the teaching of Richardson in order to provide to quickly display to the administrator of a managed network health problems associated with devices and services on the network and to provide the administrator with the capability to quickly respond to and correct pending network problems before end users of the network are impacted.

As to claims 8, while Arquie in view of Pugaczewski teaches wherein processing the site attribute information to obtain site application topological and management information; Arquie and Pugaczewski do not teach obtaining one or more health model processing rules associated with the two or more sites; applying the site attribute information to the one or more health model processing rules and generating health

model information for the two or more sites based on the application of the health model processing.

Richardson from similar field of endeavor discloses, obtaining one or more health model processing rules associated with the two or more sites (col., 11 lines, 46-60)

applying the site attribute information to the one or more health model processing rules (col., 11 lines, 46-60); and

generating health model information for the two or more sites based on the application of the health model processing rules (col., 11 lines, 46-60).

It would have been obvious to one of ordinary skilled in the art to have modified Arquie and Pugaczewski 's teaching at the time the invention was made with the teaching of Richardson in order to provide to quickly display to the administrator of a managed network health problems associated with devices and services on the network and to provide the administrator with the capability to quickly respond to and correct pending network problems before end users of the network are impacted.

As to claim 9, most of the limitations have been met in the rejection of Claim 1. See details for Claim 1 rejection.

As to claim 10, Pugaczewski discloses wherein formatting the site application topological and management information for display includes generating an XML data stream for rendering by the software application program (col., 22 lines, 1-7 and col., 9 lines, 40-45).

As to claim 11, Arquie discloses further comprising obtaining a request to update the site application topological and management information (col., 3 lines 66-67 and col., 4 lines, 1-5).

As to claim 12, most of the limitations has been met in the rejection of Claim 1. See details for Claim 1 rejection.

As to claim 13, Arquie discloses a computer-readable medium having computer-executable instructions (claim 4).

As to claim 14, Arquie discloses a computer system having a processor, a memory and an operating environment, (Figure 1).

Response to Arguments

5. Applicant's arguments with respect to the amended claims 1-14. Claims 1-6 and 9-14 have been fully considered but they are not persuasive.

Applicant argues that: (a) the cited references also fail to teach or suggest the site information maintained and imported from one or more distributed application servers comprising site interconnection information identifying how each of the sites is connected to one or more other sites. (b) the cited references also fail to teach or suggest the site information maintained and imported from one or more distributed application servers comprising a schema defining a template as to how the topological information

should be rendered, the schema corresponding to a network template requirement and a specific user requirement. (c) the cited references also fail to teach or suggest processing the site attribute information to obtain site application topological and management information, wherein processing the site attribute information comprises: identifying through an iterative process all sites within the network, generating at least one connection object for each site, and identifying a directional flow for communications between each site (d) the cited references also fail to teach or suggest generating a graphical user interface, the user interface comprising a first display portion and a second display portion, the first display portion for displaying topological and management information, the second display portion for generating user controls including a generation control and an update control, and wherein information is displayed in the first display portion in accordance with the user controls in the second display portion (e) the cited references also fail to teach or suggest displaying the generated information within the first display portion of the graphical user interface, the generated information including a site interconnection health rating, and directional flow indicators for each site interconnection. (f) the cited references also fail to teach or suggest determining whether the site application topological and management information should be updated (g) the cited references also fail to teach or suggest upon determining the site application topological and management information should be updated, updating the information.

The Examiner disagrees for the following reasons.

Per (a), it is noted that the in previous office action as well as maintained in the current office action Arquie in view of Pugaczewski and Richardson disclose Arquie disclose a method for generating topological and management information (col., 8

lines, 57-60) for sites in a computer network, the method performed in a computer system having a display (Figure 7), the method comprising: obtaining a request to generate application topological and management information corresponding to two or more sites associated with a network (Figure 3 and Figure 1); obtaining site attribute information corresponding to the two or more sites (col., 7 lines, 39-57), the site attribute information being maintained and imported from one or more distributed application servers and the site information (col., 6 lines, 25-30) comprising: site interconnection information identifying how each of the sites is connected to one or more other sites (col., 2 lines, 55-56, col., 8 line 35-36 and col., 9 lines, 10-27)); applying a set of dynamic processing rules to determine an assessment of the site attribute information, (col., 15 lines, 62-63); processing the site attribute information to obtain site application topological and management information (claim 1), wherein processing the site attribute information comprises; identifying through an iterative process all sites within the network, generating at least one connection object for each site (Figure 3 and Figure 1), and identifying a directional flow for communications between each site; (abstract), generating a graphical user interface (col., 7 lines, 32-33), the user interface comprising a first display portion (Figure 3 (element 300) and Figure 4, (element 400))) and a second display portion Figure 3 (element 310) and Figure 4, (element 410)), the first display portion for displaying topological and management information (Example, Figure 4) (element 404)) the second display portion for generating user controls including a generation control (Figure 4 and 7) and an update control (Figure 4 and 5), and wherein information is displayed in the first display portion in accordance with the user controls in the second display portion (Figure 4) to facilitate creating such a display); formatting

and generating the topological and management information for rendering on the display (col., 3 lines, 28-35) and displaying the generated information within the first display portion of the graphical user interface the generated information including a site interconnection rating (Figure 1 (element 132, 134 and 138)) and directional flow indicators for each site interconnection (Figure 3-7); determining whether the site application topological and management information should be updated (abstract); upon determining the site application topological and management information should be updated, updating the information (Figure 3 and (col., 10 lines, 20-34); Pugaczewski disclose a schema defining a template as to how the topological information should be rendered the schema corresponding to a network template requirement and a specific user requirement and perceived status of each site (such as, Figure 3 is a schematic illustration of an xDSL Path in a DSL implementation).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiry

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MESEKER TAKELE whose telephone number is (571)270-1653. The examiner can normally be reached on Monday - Friday 7:30AM-5:00PM est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571) 272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meseker Takele/
Examiner, Art Unit 2175

/William L. Bashore/

Supervisory Patent Examiner, Art Unit 2175